

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

SERGIO VALENCIA SR.,

Defendants.

4:15CR3010

ORDER

On August 12, 2015, the court was advised that Defendant intended to enter a plea of guilty. The plea hearing was set for October 7, 2015, and on Defendant's motion, was continued to November 17, 2015. Stating "[a]dditional time is needed to investigate a matter that has surfaced during plea negotiations," Defendant now moves for an additional 60-day continuance of Defendant's plea hearing. (Filing No. 59). Based on the record before the court,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 59), is granted in part.
- 2) Defendant's change of plea hearing will be held before the undersigned magistrate judge in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, Nebraska on December 15, 2015 at 9:00 a.m. If the plea hearing cannot be held on December 15, 2015 because the parties are still engaged in investigations or negotiations, the time set aside for the plea hearing will be used, instead, to set this case for trial. The defendant, defense counsel, and counsel for the government shall appear at the hearing.
- 3) For the reasons stated by counsel in Defendant's motion, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

November 16, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge